

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

STEFAN PASSANTINO,

PLAINTIFF,

v.

UNITED STATES OF AMERICA,

DEFENDANT.

Civil Action No.

4:23-cv-00300-ELR

DEFENDANT'S AMENDED MOTION FOR EXTENSION OF TIME

Defendant United States of America, by and through the United States Attorney for the Northern District of Georgia and the undersigned Assistant United States Attorney, respectfully moves this Court pursuant to Federal Rule of Civil Procedure 6(b) for a 7-day extension of time in which to file a responsive pleading to Plaintiff Stefan Passantino's Complaint (Doc. 1), through and including April 22, 2024. The grounds for this amended motion are more particularly set forth in the accompanying amended memorandum of law.

Dated: April 16, 2024.

RESPECTFULLY SUBMITTED,

RYAN K. BUCHANAN
United States Attorney

/s/ A. Jonathan Jackson

A. JONATHAN JACKSON
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**AMENDED MEMORANDUM OF LAW IN SUPPORT OF
DEFENDANT'S MOTION FOR EXTENSION OF TIME**

Federal Rule of Civil Procedure 6(b) permits the Court broad discretion in granting extensions of time made prior to the expiration of the time originally permitted to make the subject filing. *See Chudasama v. Mazda Motor Corp.*, 123 F.3d 1353, 1366 (11th Cir. 1997) (“We recognize that district courts enjoy broad discretion in deciding how best to manage the cases before them.”); *Cable/Home Commc'n Corp. v. Network Prods., Inc.*, 902 F.2d 829, 859 (11th Cir. 1990) (discussing discretion afforded to district courts when ruling on requests for extensions of time); *see also* Wright & Miller, Federal Practice and Procedure § 1165 (1987).

The current deadline for Defendant to file a response to Plaintiff's Complaint was April 15, 2024. Defendant filed a Motion for Extension of Time on April 15, 2024—but the document included a typographical error. The

undersigned counsel still needs additional time to review the documents and information regarding the allegations contained in Plaintiff's Complaint to prepare a responsive pleading. Therefore, Defendant submits this Amended Motion respectfully reiterating its request for a 7-day extension of time, through and including April 22, 2024, to file a responsive pleading.¹

For the Court's convenience, a proposed order granting the extension of time is attached.

Dated: April 16, 2024.

RESPECTFULLY SUBMITTED,

RYAN K. BUCHANAN
United States Attorney

/s/ A. Jonathan Jackson

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¹ On April 15, 2024, Defendant's counsel reached out to Plaintiff's counsel after business hours via email to assess whether this Motion could be filed without opposition from Plaintiff. Understandably, Plaintiff's counsel has not yet had an opportunity to respond.

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CERTIFICATE OF COMPLIANCE

I hereby certify, pursuant to Local Rules 5.1 and 7.1D, that the foregoing document has been prepared using Book Antiqua, 13-point font.

/s/ A. Jonathan Jackson

A. JONATHAN JACKSON

Assistant United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on April 16, 2024, I electronically filed the foregoing document with the Clerk of Court using the Court's CM/ECF system, which will automatically send notification of such filing to the following attorneys of record:

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